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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHRISTOPHER THOMAS,

Plaintiff,

v.

E.K. MCDANIEL, *et al.*,

Defendants.

Case No. 3:17-cv-00472-MMD-WGC

ORDER

I. DISCUSSION

According to the Nevada Department of Corrections (“NDOC”) inmate database, Plaintiff is no longer incarcerated at Ely State Prison and has been released from the custody of the NDOC. Plaintiff has not filed an updated address notification with the Court. The Court notes that pursuant to Nevada Local Rule of Practice IA 3-1, a “pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. The notification must include proof of service on each opposing party or the party’s attorney. Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court.” Nev. Loc. R. IA 3-1. This Court grants Plaintiff thirty (30) days from the date of entry of this order to file his updated address with this Court. If Plaintiff does not update the Court with his current address within thirty (30)

1 days from the date of entry of this order, the Court will dismiss this action without
2 prejudice.

3 In addition, Plaintiff submitted an application to proceed *in forma pauperis* for
4 prisoners. (ECF No. 3). The Court now directs Plaintiff to file an application to proceed
5 *in forma pauperis* by a non-prisoner within thirty (30) days from the date of this order or
6 pay the full filing fee of \$400. The Court will retain Plaintiff's civil rights complaint (ECF
7 No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved.

8 **II. CONCLUSION**

9 For the foregoing reasons, it is ordered that Plaintiff shall file his updated address
10 with the Court within thirty (30) days from the date of this order. If Plaintiff fails to timely
11 comply with this order, the Court shall dismiss this case without prejudice.

12 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis*
13 for prisoners (ECF No. 3) is DENIED as moot.

14 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND Plaintiff the
15 approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the
16 document entitled information and instructions for filing an *in forma pauperis* application.

17 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
18 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
19 non-prisoners; or (2) pay the full filing fee of \$400. If Plaintiff does not timely comply with
20 this order, dismissal of this action may result.

21 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the complaint
22 (ECF No. 1-1), but shall not file it at this time.

23 DATED : June 18, 2018.

24 William G. Cobb
25 UNITED STATES MAGISTRATE JUDGE
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